

JACK RUSSO (State Bar No. 96068)  
TIM C. HALE (State Bar No. 114905)  
JOHN KELLEY (State Bar No. 100714)  
RUSSO & HALE LLP  
401 Florence Street  
Palo Alto, CA 94301  
Telephone: (650) 327-9800  
Facsimile: (650) 327-3737  
Email: jrusso@computerlaw.com  
thale@computerlaw.com  
jkelley@computerlaw.com

Attorneys for defendants and counterclaimants  
ROMI MAYDER, SILICON TEST SYSTEMS, INC.,  
SILICON TEST SOLUTIONS LLC, and WESLEY  
MAYDER

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

VERIGY US, INC., a Delaware Corporation,

Plaintiff,

v.

ROMI MAYDER, an individual; WESLEY  
MAYDER, an individual; SILICON TEST  
SYSTEMS, INC., a California Corporation;  
and SILICON TEST SOLUTIONS, LLC, a  
California Limited Liability Corporation,  
inclusive,

Defendants.

AND RELATED CROSSCLAIMS.

Case No. 5:07-cv-04330-RMW (HRL)

**DECLARATION OF TIM C. HALE IN  
SUPPORT OF DEFENDANTS'  
ADMINISTRATIVE MOTION FOR LEAVE  
TO FILE DOCUMENTS UNDER SEAL**

**Before: Judge Ronald Whyte**

Complaint Filed: August 22, 2007  
Trial Date: December 8, 2008 (jury trial)  
(Defendants have elected to reserve their jury  
trial rights under F.R.C.P., Rule 38)

1 I, Tim C. Hale, hereby declare as follows:

2 1. I am an attorney with the law firm of Russo & Hale LLP, counsel for defendants  
3 Romi Mayder, Silicon Test Systems, Inc., Silicon Test Solutions LLC, and Wesley Mayder in this  
4 action. I am a member in good standing for over 20 years of the State Bar of California, licensed  
5 to practice in the Northern District of California. I make the statements herein of my personal  
6 knowledge, and if called upon to testify in this Court, my testimony would be as stated herein.

7 2. I submit this declaration in support of defendants' Administrative Motion for Leave  
8 to File Documents Under Seal.

9 3. I have reviewed the documents designated as

10 (a) Exhibit 3 to the Declaration of Jack Russo in Support of Defendants' Motion for  
11 Summary Adjudication and Motion to Modify Preliminary Injunction Order, and

12 (b) Exhibits B-F to the Supplemental Declaration of Romi Mayder in Support of  
13 Defendant's Motion for Summary Judgment and Motion for Rule 11 Sanctions.

14 I have determined that the document listed as (a) above is a copy of a document that has  
15 previously been designated as "Confidential" by this Court and is filed under seal. I have  
16 determined that these documents listed as (b) above contain information that has been designated  
17 as "Confidential" or "Highly Confidential—Attorneys' Eyes Only" by one or more defendants  
18 under the Stipulated Protective Order.

19 4. I have concluded that defendant Silicon Test Systems, Inc.'s confidentiality interest  
20 overcomes the right of public access to the record, as a substantial probability exists that its  
21 overriding confidentiality interest will be prejudiced if the record is not sealed. The proposed  
22 sealing is narrowly tailored, and I am not aware of any less-restrictive means to achieve Silicon  
23 Test Systems' overriding interests.

24 I declare under penalty of perjury under the laws of the United States of America that the  
25 forgoing is true and correct. Executed on July 22, 2008 in Palo Alto, California.

26 /s/  
27 Tim C. Hale  
28